

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CLIFTONLARSONALLEN LLP, a
Minnesota Limited Partnership,

Plaintiff,

v.

BASIN TAX & ACCOUNTING,
PLLC, a Washington limited liability
company; CLEON C LAASSEN, an
individual; CODY PARRISH, an
individual; and AUDRA LEITZ-
ECKENBERG, an individual,

Defendants.

CASE NO: 2:25-CV-0086-TOR

ORDER DENYING PRELIMINARY
INJUNCTION

BEFORE THE COURT is Plaintiff's Motion for Preliminary Injunction.

ECF No. 4. This matter was heard without oral argument. The Court has reviewed the record and files herein and is fully informed. For the reasons discussed below, Plaintiff's Motion for Preliminary Injunction (ECF No. 4) is DENIED.

DISCUSSION

A. Preliminary Injunction

Pursuant to Federal Rule of Civil Procedure 65, the Court may grant preliminary injunctive relief in order to prevent “immediate and irreparable injury.” Fed. R. Civ. P. 65(b)(1)(A). To obtain this relief, a plaintiff must demonstrate: (1) a likelihood of success on the merits; (2) a likelihood of irreparable injury in the absence of preliminary relief; (3) that a balancing of the hardships weighs in plaintiff’s favor; and (4) that a preliminary injunction will advance the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *M.R. v. Dreyfus*, 697 F.3d 706, 725 (9th Cir. 2012). Under the *Winter* test, a plaintiff must satisfy each element for injunctive relief.

Alternatively, the Ninth Circuit also permits a “sliding scale” approach under which an injunction may be issued if there are “serious questions going to the merits” and “the balance of hardships tips sharply in the plaintiff’s favor,” assuming the plaintiff also satisfies the two other *Winter* factors. *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011) (“[A] stronger showing of one element may offset a weaker showing of another.”); *see also Farris v. Seabrook*, 677 F.3d 858, 864 (9th Cir. 2012) (“We have also articulated an alternate formulation of the *Winter* test, under which serious questions going to the merits and a balance of hardships that tips sharply towards the plaintiff can support

1 issuance of a preliminary injunction, so long as the plaintiff also shows that there is
2 a likelihood of irreparable injury and that the injunction is in the public interest.”
3 (internal quotation marks and citation omitted)).

4 Plaintiff requests an Order enjoining Defendants from using and possessing
5 any proprietary information belonging to Plaintiff, including its trade secrets, and
6 from soliciting Plaintiff’s clients and interfering with the relationship Plaintiff
7 enjoys with its clients.

8 **B. Likelihood of Success on the Merits**

9 To obtain injunctive relief, Plaintiff must show that there are “serious
10 questions going to the merits” of its claim, and that it is likely to succeed on those
11 questions of merit. *Cottrell*, 632 F.3d at 1131; *Farris*, 677 F.3d at 865.

12 Based on the evidence before the Court, Plaintiff has not shown that it is
13 likely to succeed on the merits of its claims. Defendants have provided sworn
14 declarations to contest Plaintiff’s allegations. Based on the disputed facts at issue,
15 the Court cannot issue preliminary injunctive relief.

16 **C. Irreparable Injury**

17 Plaintiff contends it will suffer irreparable injury absent preliminary
18 injunctive relief. However, Plaintiff has not provided the Court with sufficient
19 facts to support its claim of irreparable harm.

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1 **D. Balancing of Equities and Public Interest**

2 Finally, Plaintiff contends that the balance of equities and public interest
3 weigh in favor of granting injunctive relief in this case. However, Plaintiff has not
4 shown that the balance of equities and the public interest would support an
5 injunction at this time.


6 **ACCORDINGLY, IT IS HEREBY ORDERED:**

7 Plaintiff's Motion for Preliminary Injunction (ECF No. 4) is **DENIED**.

8 The District Court Executive is directed to enter this Order and furnish
9 copies to counsel.

10 DATED April 21, 2025.




THOMAS O. RICE
United States District Judge